

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HARRY BROOKS,)	
)	
Petitioner,)	
)	
v.)	No. 09 C 4682
)	
UNITED STATES ATTORNEY FOR THE)	
NORTHERN DISTRICT OF ILLINOIS,)	
)	
Respondent.)	

SUPPLEMENT TO MEMORANDUM

Later in the same day in which this Court issued its August 18 memorandum in this case, it was made aware of this District Court's Case No. 05 C 5472, in which Robert More ("More") has been barred for nearly eight years--beginning with orders issued by our Court of Appeals on September 19, 2002 and again on April 18, 2005, and then continued by successive orders issued by this District Court's Executive Committee--from submitting any papers for filing. Indeed, the Executive Committee's September 23, 2005 order, which has since been renewed from time to time, expressly orders:

That the Clerk is directed to return unfiled any papers submitted either directly or indirectly by or on behalf of Robert J. More.

It appears that the most recent Executive Committee order barring More's filings was issued on September 17, 2008. But its language is somewhat puzzling. One of the provisions of that order states that the earlier September 23, 2005 order "shall remain in force for an additional six months," while a later

provision states that "More may submit to this Court, no earlier than six months from the date of this order, a motion to modify or rescind the order entered on September 23, 2005 and modified on September 17, 2008."

If the first of those quoted provisions were to be taken literally, so that the restrictive order would run out by its own terms six months after September 17, 2008, the second quoted provision--which permits More to seek modification or rescission only after six months have elapsed beyond September 17, 2008--would have no meaning.

Either way, it seems clear that More continues to flout the Executive Committee restrictions by submitting his filings in the names of other persons. That may perhaps explain why in this case Harry Brooks continually absents himself from court on the presentment dates that he (or most likely More) has designated in a series of supposedly emergency motions.

This Court is transmitting a copy of this supplement to the Executive Committee so that it can examine the terms of its orders that appear to be internally inconsistent. In the meantime, this Court will not strike the More-generated filings in this case, even though they apparently should not have been accepted for filing by the Clerk's Office.



Milton I. Shadur
Senior United States District Judge

Date: August 19, 2009